

City of Arnold, Missouri

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Public Hearing  
Council Chambers

February 1, 2007  
7:30 P.M.

- A. An Ordinance Approving a Preliminary Plat Titled Water Tower Place Phase II. See Agenda Item No. 7A.**
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Council Meeting

Following the Public Hearing

**Revised Agenda**

1. Pledge of Allegiance
2. Opening Prayer
3. Roll Call
4. Acceptance Of Minutes: **January 18, 2007**
5. Acceptance Of Warrants: **Payroll Warrant # 995; General Warrant # 5444**
6. Business From the Floor
7. Ordinances
  - A. Bill No. 2214: An Ordinance Approving a Preliminary Plat Titled Water Tower Place Phase II.**
  - B. Bill No. 2215: An Ordinance Approving a Petition to Amend the Boundaries of the Arnold Triangle Transportation Development District and Authorizing Certain Actions in Connection Therewith.**
8. Resolutions
  - A. 07-02: A Resolution Authorizing the Offer of Leasehold Revenue Bonds (Pomme Creek Golf Course) for the Purpose of Providing Funds to Finance the Pomme Creek Golf Course.**
  - B. 07-03: A Resolution Authoring the Mayor to Execute the First Amendment to the Agreement with DLJ Pomme LLC for the Purchase of Pomme Creek Golf Course.**
  - C. 07-04: A Resolution Approving an Extension to the Line of Credit for the Triangle Redevelopment Buy Out Program.**

**D. 07-05: A Resolution Accepting Transfer of Ownership of Certain Big Bill Road Right-of-Way from the Missouri Highways and Transportation Commission.**

- 9. Motions - NONE
- 10. Old Business
- 11. New Business
- 12. Committee Reports

**A. Liquor Committee**

- 13. Reports from Mayor and Council
- 14. Administrative Reports

**A. A Conditional Use Permit for Outdoor Storage Pods at Walgreens, 3937 Vogel Rd.**

- 15. Adjournment

**Next Work Session Meeting: February 8<sup>th</sup> at 7:00 pm**  
**Next Regular Council Meeting: February 15<sup>th</sup> at 7:30 pm**

January 29, 2007

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**REGULAR MEETING**

**FEBRUARY 1, 2007**

**COUNCIL CHAMBERS**

**2101 JEFFCO BLVD**

**7:39PM**

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**Mayor Mark Powell called the meeting to order at 7:39 p.m. Opening prayer was a silent prayer. Those present per roll call taken by City Clerk Diane Waller: Powell, Amato, Deckman, Ems, Cooley, Vinson, Crisler, Edwards, Venable, Unrein, Waller, Holden, McKenzie, Boone, Sweeney, Shockey, Blue, Gowan and Hall.**

**ACCEPTANCE OF THE MINUTES:**

Randy Crisler moved to accept the minutes of the January 18, 2007 meeting if there are no deletions, errors, or corrections. Seconded by Butch Cooley. Roll call vote: yes; Amato, yes; Deckman, yes; Ems, yes; Cooley, yes; Vinson, yes; Crisler, yes; Edwards, yes; Venable, 8 yeas, motion carried.

### **ACCEPTANCE OF THE WARRANTS:**

City Clerk Diane Waller read payroll warrant #995. Jim Edwards moved to pay payroll warrant #995 pay period ending January 12, 2007 in the amount of \$207,175.71 if the monies are available. Seconded by Joyce Deckman. Roll call vote: Amato, yes; Deckman, yes; Ems, yes; Cooley, yes; Vinson, yes; Crisler, yes, Edwards, yes; Venable, yes; 8 yeas, motion carried.

City Clerk Diane Waller read general warrant #5444. Butch Cooley moved to pay general warrant #5444 in the amount of \$640,390.12 if the monies are available. Seconded by Al Ems. Roll call vote: Amato, yes; Deckman, yes; Ems, yes; Cooley, yes; Vinson, yes; Crisler, yes; Edwards, yes; Venable, yes; 8 yeas, motion carried.

### **BUSINESS FROM THE FLOOR:**

Mark Lloyd, owner of a business in the Crossroads Redevelopment area, apologized for missing a recent meeting and inconveniencing others. He reported he is still working towards reaching an agreement and resolving some issues. Also mentioned he is ready to move on the demolition of the old Pizza Hut building on Jeffco by the river.

Mr. Roettger of 1532 Fox Ridge Court, introduced himself as a member of the Immaculate Conception Parish Council, and voiced his opposition to charging the churches any stormwater utility fees.

Norman Moss of 2270 Fawn Drive proudly announced he had signed on with Fireside Hearth and Home @ Arnold Stove and Fireplace. He feels this will bring a new level of professionalism to the Arnold area.

Mr. John Bickline, a member of People's Church, voiced his opposition to the stormwater utility.

Mayor Powell clarified the proposal was to reduce the rate charged to non-profits.

Ms Candice Throm, 80 Hickory Bluff, questioned if the stormwater utility was a tax or a utility? She stated she attends church outside of the city of Arnold and did not feel taxpayers should have to bear the expense of not charging the not-for-profits.

### **ORDINANCES:**

Bill #2214 AN ORDINANCE AMENDING APPROVING A PRELIMINARY PLAT TITLED WATER TOWER PLACE PHASE II was read twice by City Clerk Diane Waller . Roll call vote: Amato, yes; Deckman, yes; Ems, yes, Cooley, yes, Vinson, yes; Crisler, yes; Edwards, yes; Venable, yes; 8 yeas, ordinance passed.

Bill #2215 AN ORDINANCE APPROVING A PETITION TO AMEND THE BOUNDARIES OF THE ARNOLD TRIANGLE TRANSPORTATION DEVELOPMENT DISTRICT AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH was read twice by City Clerk, Diane Waller. Roll call vote: Amato, yes; Deckman, yes; Ems, yes; Cooley, yes; Vinson, no; Crisler, yes, ; Edwards, yes Venable, yes; 7 yeas, 1 nay, ordinance passed.

Councilman Phil Amato leaves the council chambers at 8:00 P.M.

**RESOLUTIONS:**

Resolution #07-02 A RESOLUTION AUTHORIZING THE OFFER OF LEASEHOLD REVENUE BONDS (POMME CREEK GOLF COURSE) FOR THE PURPOSE OF PROVIDING FUNDS TO FINANCE THE POMME CREEK GOLF COURSE was discussed and a vote was taken. Amato, (out of the room), Deckman, yes; Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Edwards, yes; Venable, yes; 7 yeas.

City Clerk advised Mayor that no one had moved on this resolution and we need a motion to validate this. Randy Crisler then moved on Resolution #07-02, seconded by Jim Edwards.

Phil Amato returns to the Chamber at 8:07 p.m.

Roll call vote: Amato, yes; Deckman, yes; Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Edwards, yes; Venable, yes; 8 yeas, resolution passed.

Resolution #07-03 A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE AGREEMENT WITH DLJ POMME LLC FOR THE PURCHASE OF POMME CREEK GOLF COURSE was offered by Randy Crisler, seconded by Joyce Deckman. Roll call vote: Amato, yes; Deckman, yes; Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Edwards, yes; venable, yes; 8 yeas; resolution passed.

Resolution #07-04 A RESOLUTION APPROVING AN EXTENSION TO THE LINE OF CREDIT FOR THE TRIANGLE REDEVELOPMENT BUY OUT PROGRAM was offered by Jim Edwards, seconded by Al Ems. Roll call vote: Amato, (abstain), Deckman, yes; Cooley, yes; Ems, yes; Vinson, no; Crisler, yes; Edwards, yes; Venable, yes; 6 yeas, 1 nay, 1 abstention, resolution passed.

Mr. Amato was abstaining as he is on the board at Commerce.

Resoluion No 07-05 A RESOLUTION ACCEPTING TRANSFER OF OWNERSHIP OF CERTAIN BIG BILL ROAD RIGHT-OF-WAY FROM THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION was offered by Al Ems, seconded by Butch Cooley. Roll call vote: Amato, yes; Deckman, yes; Cooley, yes; Ems, yes; Vinson, no; Crisler, yes; Edwards, yes; Venable, yes; 7 yeas, 1 nay, resolution passed.

**OLD BUSINESS:**

Councilman Butch Cooley, since he was on the prevailing side at the time of the vote, asked that the stormwater ordinance be brought back at the next councilman meeting.

Cooley offered a motion, seconded by Randy Crisler. Roll call vote: Amato, no; Deckman, yes; Cooley, yes; Ems, yes; Vinson, yes; Crisler, yes; Edwards, yes; Venable, yes; 7 yeas, 1 nay. Motion carried.

**NEW BUSINESS:**

Mr. Vinson brought up an issue with site distance and public safety and that it appears the city does not have an ordinance to address this.

Mary Holden then stated a code is in place within the subdivision ordinance.

Chief indicated however, there is not an enforceable ordinance for the Arnold Police regarding this.

Mayor directed staff to provide a written report and have attorney review so this issue can be resolved. This may need to be tweaked and discussed at a work session.

Mr. Ems added there are also dangerous signs blocking other sites from parking lots in the city.

Randy Crisler asked if city can change the way the city addresses the number of board members on the P & Z board and asked staff to take a look at this. Could this be changed to allow more citizens to participate if it was not limited to a certain number from each ward and have more at large members. State law may restrict what city can and cannot do.

Also requested an ordinance requiring utility companies to repair holes made in city streets because of their work. Staff advised utility companies are required to repair within 30 days, weather permitting.

**COMMITTEE REPORTS:**

Randy Crisler stated the Liquor Committee met this evening, since they had not met since last June, and gave a brief summary of what was discussed. There have been inquiries regarding tasting licenses and what the city needs to do to acquire a liquor license for the golf course.

**REPORTS FROM MAYOR AND COUNCIL:**

Ward 4 – Butch Cooley – Mr. Cooley reported the Green Thumb Group will be getting together soon to do a week-end project working to beautify the entrance at the library by the Rec Center. The Clean Stream people will be assisting with this.

Ward 1 – Paul Vinson – No report

Ward 4 – Al Ems – No report

Ward 1 – Randy Crisler – No Report

Ward 2 – Dave Venable – No Report

Ward 3 – Joyce Deckman – No Report

Ward 2 – Jim Edwards – No Report

Ward 3 – Phil Amato – Complimented Mr. Cooley for all his Green Thumb activities.

Reported the city has been approved for a stormwater grant and details will be forthcoming.

Attorney Bob Sweeney – No report

Matt Unrein – No report

Diane Waller – Stated the first quarter municipal services bills had been mailed earlier this week.

Mr. Vinson then added that he had inquiries from some of his ward residents about the bills having a printing error along the perforation line.

Ms. Waller acknowledged she would look into this situation to determine if there is problem.

Scott Gowan – No report

Greg Hall – Announced the Oakridge Boys Concert scheduled for this weekend is sold out. Stated he had provided a memo regarding the need to review our custodial services and would like to do a RFP, hoping to make changes that would improve services and may reduce expenses.

Mary Holden – Referred to the denial for CUP for outdoor storage at the Walgreens on Vogel Road and reported there has been an appeal made on this decision..

Jeff Blue – Provided an update on the progress of the MSD tunnel project and the Church Road progress.

Vivivan McKenzie – Announced the yearly audit report will be presented at the next council meeting by our auditing firm and advised the council members there will be plenty of data provided for their review prior to that meeting.

Susie Boone – Stated the State of the County address last week held at the Rec Center went well and was well attended.

In response to the request for a better youth fee, she offered a proposal that would have a student fee to include a person up to age 23 provided they show acceptable student ID. This would be for both residents and non-resident students.

Paul Vinson offered a motion to adjust the fees to include a student rate for students from age 16-23 providing they have acceptable student identification. Seconded by Randy Crisler. Roll call vote: Amato, yes; Deckman, yes, Cooley, yes; Ems, yes; Vinson, yes, Crisler, yes; Edwards, yes; Venable, yes; 8 yeas, motion carried.

Chief Shockey – No report

Matt Unrein - Announced there will be a brush drop off at City Hall on Saturday, February 10<sup>th</sup> from 9 to 3 for City of Arnold residents only. The Spring Brush Program will be moved forward to begin in March. This should help the residents with brush left from the recent ice and wind storms.

A motion to adjourn was offered by Jim Edwards. Seconded by Al Ems. Voice vote, motion carried.

Meeting adjourned at 8:39 p.m.

Respectfully submitted,

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City Clerk